

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

**Ronald Childs,
Petitioner**

-vs-

Case No. 1:00-cv-617

**Harry Russell,
Defendant**

JUDGMENT

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that:

Petitioner's objections to the Report & Recommendation are **OVERRULED**. The Report & Recommendation is **ADOPTED**. Petitioner's petition for writ of habeas corpus is **DENIED**.

The Court will not issue a certificate of appealability because Petitioner has failed to make a substantial showing of the denial of a constitutional right that is remediable in this proceeding. See 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

The Court hereby **CERTIFIES**, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this Order would not be taken in good faith; therefore, the Court will not grant any request by petitioner to proceed *in forma pauperis* on appeal. See Fed. R. App. P. 24(a).

Date: January 14, 2004

James Bonini, Clerk

By: s/Mary C. Brown
Mary C. Brown, Deputy Clerk